

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

JOSHUA FRANCIS HARDEWAY

CASE NO. 6:18-CV-01620

VERSUS

JUDGE ROBERT R. SUMMERHAYS

JAVONIE COLONAGOSTA, ET AL.

MAGISTRATE JUDGE WHITEHURST


JUDGMENT

The Judgment issued by the Court on September 9, 2019 [Doc. No. 34] is **VACATED**.¹

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record including the objections filed by petitioner, and having determined that the findings and recommendations are correct under the applicable law;

IT IS ORDERED that the Motion To Dismiss filed by Defendant James P. Doherty, Jr [Rec. Doc. 12] is **GRANTED**, and Plaintiff Joshua Francis Hardeway's claim against him is **DISMISSED WITH PREJUDICE**.

THUS DONE AND SIGNED in Lafayette, Louisiana, on this 12th day of September, 2019.


ROBERT R. SUMMERHAYS
UNITED STATES DISTRICT JUDGE

¹ The Court's prior Judgment noted the absence of Objections to the Report and Recommendation. On September 11, 2019, Plaintiff's Objections to the Report and Recommendation were docketed by the Clerk of Court. The objections are dated September 6, 2019. At the time the Court issued its Judgment, it failed to notice Plaintiff does not receive e-mail notice of entry of documents. Accordingly, Plaintiff's Objections are timely. *See* Fed. R. Civ. P. 6(d).